IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

Con.Case(C).No. 1343 of 2007(S)

NON-COMPLIANCE OF THE INTERIM ORDER DATED 23.8.2007 IN WP(C) NO.24898/2007

PETITIONERS/RESPONDENTS 3 & 4 IN WPC
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1. JYOTHY LABORATORIES LABOUR UNION (CITU),
   REPRESENTED BY ITS SECRETARY M.K.MANOJ,
   S/O. KUTTANI, AGED 31 YEARS,
   PANNISSERY,
   KOONAMOOCHY,
   THRISSUR DISTRICT.

2. VANIJYA VYAVASAYA MAZDOOR SANGHAM (BMS),
   REPRESENTED BY ITS SECRETARY SALGUNAN,
   S/O. KARTHIKEYAN, AGED 31 YEARS,
   PANNISSERY,
   KOONAMOOCHY,
   THRISSUR DISTRICT.

BY ADV. SRI.N.NAGARESH
SRI.BINU PAUL

RESPONDENTS: PETITIONER & 2ND RESPONDENT IN WPC
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1. M.P.DIVAKARAN,
   S/O. PANJAN, AGED ABOUT 55 YEARS,
   AUTHORISED SIGNATORY,
   JYOTHY LABORATORIES LTD.,
   PANNISSERY,
   KOONAMOOCHI,
   THRISSUR-680 504.

2. PREMANANDAKRISHNAN,
   AGED ABOUT 36 YEARS,
   SUB INSPECTOR OF POLICE, GURUVAYUR,
   NOW TRANSFERRED TO PAVARATTI POLICE STATION.

BY SENIOR GOVERNMENT PLEADER SMT.MEERA

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 24/09/2007, ALONGWITH CONT. CASE (C) NO.1349 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

Contempt Case (Civil) NO.1343 of 2007

and

Contempt Case (Civil) No.1349 of 2007

Dated this the 24th September,2007

JUDGMENT

H.L.DATTU, C.J.

In Contempt Case (Civil) No.1343 of 2007, respondent Nos.3 and 4 in W.P.(C) No.24898 of 2007 are the complainants.

2. In Contempt Case (Civil) No.1349 of 2007, the petitioner in the Writ Petition is the complainant.

3. In these contempt petitions, allegations and counter allegations are made by both the parties. According to the complainants in Contempt Case (Civil) No.1343 of 2007, the contemnor has disobeyed the interim orders and directions issued by the Court.

4. The petitioner/complainant in Contempt Case (Civil) No.1349 of 2007, also alleges that the respondents in the Writ Petition have violated the orders and directions issued by the Court. Serious disputed facts are involved in these contempt petitions and, in our view, the same cannot be resolved by either framing charges against the contemnors or proceeding with the matter in these contempt petitions. Accordingly, we do not intend to take cognizance of the complaints/contempt petitions filed by both the parties. Therefore, both the contempt petitions are disposed of. However,

we reserve liberty to the petitioner as well as the respondents in the Writ Petition to approach the learned single Judge for appropriate further orders in this matter.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/